

Please type a plus sign (+) inside this box.

PTO/SB-08A (10-95)  
Approved for use through 10/31/99, OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A-PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	09/762,152
		Filing Date	February 2, 2001 (02/02/2001)
		First Named Inventor	Chris C. Millier
		Group Art Unit	3736 1616
		Examiner Name	unknown
Sheet 1 of 3	Attorney Docket Number	RR-473 PCT/US	

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
M		5,427,797		Frostell et. al.	06-27-1995	
		3,036,584		Lee	05-29-1962	
		5,632,981		Saavedra et. al.	05-27-1997	
		4,127,121		Westenskow	11-28-1978	
		4,191,952		Schreiber	03-04-1980	
		4,328,823		Schreiber	05-11-1982	
		4,336,798		Beran	06-29-1982	
		4,345,612		Koni	08-24-1982	
		4,442,856		Betz	04-17-1984	
		4,611,590		Ryschka	09-16-1986	
		4,770,168		Rusz	09-13-1988	
		5,159,924		Cegielski	11-03-1992	
V		5,197,461		Falb	03-30-1993	
		5,558,083		Bathe	09-24-1996	
				</		

FOREIGN PATENT DOCUMENTS								
Examiner Initials <sup>2</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
M			WO 95/09612		Entremed, Inc.	04-13-1995		
			WO 96/31217		Duke University	10-10-1996		
			WO 96/09006		University of Pittsburgh	01-04-1996		
			WO 96/25184		General Hospital Corp.	08-22-1996		
✓			WO 93/17741		General Hospital Corp.	09-16-1993		
			WO 98/01142		Institut Du N.O. Inc.	01-15-1998		

Examiner Signature	M. Haghghatani	Date Considered	8/26/03
--------------------	----------------	-----------------	---------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 509. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Approved for use through 10/31/99. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B.PT.3		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	09/762,152
		Filing Date	February 2, 2001 (02/02/2001)
		First Named Inventor	Chris C. Miller
		Group Art Unit	3736-1616
		Examiner Name	unknown
		Attorney Docket Number	RR-473 PCT/US
Sheet	2	of	3

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
M		Lowenstein, C.J. et. al., 1994, "Nitric Oxide: a physiologic messenger" Ann. Intern. Med. 120:227-237.
		Neonatal Inhaled Nitric Oxide Study Group, 1997, "Inhaled Nitric Oxide in full-term and nearly full-term infants with hypoxic respiratory failure" N. Engl. J. Med. 336(9):597-604.
		Roberts, J.D. et. al., 1997, "Inhaled nitric oxide and persistent pulmonary hypertension of the newborn" N. Engl. J. Med. 336:605-610.
		Rossaint, R. et. al., 1993, "Inhaled nitric oxide for the adult respiratory distress syndrome" N. Engl. J. Med. 328:399-405.
		Rook, G.A.W., 1997, "Intractable mycobacterial infections associated with genetic defects in the receptor for interferon gamma..." Thorax 52(Suppl 3): S41-S46.
		Denis, M., 1991, "Interferon-gamma-treated murine macrophages inhibit growth of tubercle bacilli ..." Cell. Immunol. 132:150-157.
		Chan, J. et. al., 1992, "Killing of virulent Mycobacterium tuberculosis by reactive nitrogen intermediates ..." J. Exp. Med. 175:1111-1122.
		Chan, J. et. al., 1995, "Effects of nitric oxide synthase inhibitors on murine infection with Mycobacterium tuberculosis" Infect. Immun. 63:736-740.
		Nozaki, Y. et. al., 1997, "Mechanism of nitric oxide-dependent killing of Mycobacterium bovis BCG..." Infect. Immun. 65:3644-3647.
		Canetti, G., 1965, "Present aspects of bacterial resistance in tuberculosis" Am. Rev. Respir. Dis. 92:687-703.
✓		Hendrickson, D.A. et. al., 1991, "Reagents and stains" Manual of Clinical Microbiology, 5th ed. 1991, American Society for Microbiology, pp. 1289-1314.

Examiner Signature	M. Haghghatani	Date Considered	8/26/03
-----------------------	----------------	--------------------	---------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

† Unique citation designation number. ‡ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → +

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Approved for use through 10/31/99. OMB 0551-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		Application Number	09/762,152
		Filing Date	February 2, 2001 (02/02/2001)
		First Named Inventor	Chris C. Miller
		Group Art Unit	3736-1616
		Examiner Name	unknown
		Attorney Docket Number	RR-473 PCT/US
Sheet	3	of	3

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
M		Szabo, C., 1996, "The pathophysiological role of peroxynitrite in shock, inflammation and ischemia - reperfusion injury" Shock 6:79-88.
		Stavert, D.M. et. al., 1990, "Nitrogen oxide and nitrogen dioxide as inducers of acute pulmonary injury ..." Inhal. Toxicol. 2:53-67.
		Hugod, C., 1979, "Effect of exposure to 43 PPM nitric oxide and 3.6 PPM nitrogen dioxide on rabbit lung" Arch. Occup. Environ. Health 42:159-167.
		Frostell, C. et. al., 1991, "Inhaled nitric oxide, a selective pulmonary vasodilator reversing hypoxic pulmonary vasoconstriction" Circulation 83:2038-2047.
		Bult, H. et. al., 1991, "Chronic exposure to exogenous nitric oxide may suppress its endogenous release and efficacy" J. Cardiovasc. Pharmacol. 17:S79-S82.
		Buga, G.M. et. al., 1993, "Negative feedback regulation of endothelial cell function by nitric oxide" Circ. Res. 73:808-812.
		Assreuy, J. et. al., 1993, "Feedback inhibition of nitric oxide synthase activity by nitric oxide" Br. J. Pharmacol. 108:883-837.
		O'Brien, L. et. al., 1994, "Strains of Mycobacterium tuberculosis differ in susceptibility ..." Infect. Immun. 62:5187-5190.
		Long, R. et. al., 1998, "Pulmonary tuberculosis treated with directly observed therapy: serial changes in lung structure and function" Chest 113:933-943.
		Bass, H. et. al., 1968, "Regional structure and function in bronchiectasis" Am. Rev. Respir. Dis. 97:598-609.

Examiner Signature <u>M. Haghighat</u>	Date Considered <u>8/26/03</u>
--	--------------------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.